

Councilman Pannell moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Reed, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent, 1.

The Council then recessed.

Approved: J. N. McFadden
M a y o r .

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 15, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; absent, Councilman Reed, 1.

The Minutes of the last meeting were read and Councilman Pannell moved the adoption of same as read. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in the certain unit or district of improvement as follows:

TWENTY-FOURTH STREET from the west property line of San Gabriel Street to the east end of Shoal Creek Bridge, known and designated as Unit or District No. P-108; the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on the above mentioned street and within the limits above stated, or who desired to be heard with reference to the amounts proposed to be assessed against said property and the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing would now be heard from, and thereupon the following property owners appeared and were heard:

Judge Jas. R. Hamilton stated that the cost of the paving against his property, together with the cost of building a retaining wall if the sidewalk is cut down, will be far in excess of the value to his property, and that it means virtually a confiscation of his property.

P. J. Lawless stated that his protest was the same as that of Judge Hamilton's, and that the cost of paving his property would be about \$5,000.00.

The heirs of the Freeman B. North Estate stated that they were not financially able to pay for the paving.

Mr. Barrow stated that he did not protest the paving, but asked that the alley shown on the map be closed and apportioned to the property owners, as same is not used.

Thereupon Clyde Hailey was called as a witness, and being duly sworn, testified that he had resided in the City of Austin for several years, that he was well acquainted with the values of the property abutting upon the Unit or District as to

which this hearing was being held; that he is acquainted with the type of paving which is proposed to be constructed upon said Unit or District as to which this hearing was being held; and that, in his opinion, each parcel of abutting property would be enhanced in value by reason of the construction of the proposed improvements in an amount in excess of the amount proposed to be assessed against the same, as set out on the Engineer's Roll or Statement on file relating to such Unit or District of Improvement.

No other witnesses being offered or desiring to be heard, and no other interested parties or owners having requested to be heard, the Mayor thereupon laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND LEVYING ASSESSMENTS FOR PART OF THE COST OF IMPROVING PORTIONS OF TWENTY-FOURTH STREET IN THE CITY OF AUSTIN, TEXAS, FIXING A CHARGE AND LIEN AGAINST PROPERTY ABUTTING THEREON AND AGAINST THE OWNERS THEREOF, PROVIDING FOR THE COLLECTION OF SUCH ASSESSMENTS AND THE ISSUANCE OF ASSIGNABLE CERTIFICATES IN EVIDENCE THEREOF.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING SECTION SEVEN (7) OF AN ORDINANCE ENTITLED "AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE STREET IMPROVEMENT BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF SEVEN HUNDRED THOUSAND (\$700,000.00) DOLLARS, AND PROVIDING FOR THE PAYMENT THEREOF" PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON DECEMBER 11, 1930.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING SECTION SEVEN (7) OF AN ORDINANCE ENTITLED: "AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE PARKS AND PLAYGROUNDS BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS, AND PROVIDING FOR THE PAYMENT THEREOF", PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, DECEMBER 11, 1930.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The Mayor laid before the Council the application of J. T. Bowman and W. T. Caswell to erect a gasoline filling station at the southwest corner of the intersection of West Avenue and West Twelfth Street, which had been read at the last regular meeting and laid over. A resolution by the Board of Trustees of the Austin Public Schools, protesting the granting of this permit on account of alleged increase in traffic hazards to the pupils of the Austin High School and the Pease School, was also read. The following report of the Safety Committee upon said application was then read:

"Austin, Texas, January 14, 1931.

City Council,
Austin, Texas.

Gentlemen:

We, the members of the Safety Committee of the City of Austin, have considered the application of J. T. Bowman and W. T. Caswell for a permit to construct and operate a filling station at the southwest corner of the intersection of West Avenue and West 12th Street.

We do not believe this location should be approved for filling station purposes on account of the increased hazards which will be caused to people, especially to school children. This location is adjacent to the west line of Pease School grounds and southwest of the Senior High School. A permit for a filling station on a very similar location was refused by the City Council on Rio Grande Street.

Respectfully submitted,

(Sgd) J. E. Woody, Fire Chief;
R. F. Rockwood, Fire Marshal;
Orin E. Metcalfe, City Engineer;
Tom Neal, Traffic Police Captain;
L. A. Palmer, City Plumbing Inspector

CITY SAFETY COMMITTEE."

B. H. Williams and W. T. Caswell were present and urged the granting of this permit on the grounds that same would lessen the traffic hazard at this point.

Councilman Pannell moved that the above permit be granted. Motion was seconded by Councilman Mueller, and same was lost by the following vote: Ayes, Councilmen Mueller and Pannell, Nays, Mayor McFadden and Councilman Steck; absent, Councilman Reed.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to execute a quitclaim deed to Addie N. Damon to the hereinafter described property, in consideration of the conveyance by said Addie N. Damon to the City of Austin of the hereinafter described property; this transaction being made for the purpose of changing the location of a certain street in Austin Addition to the City of Austin, it being deemed that the public interest will be best subserved by said exchange of properties.

The property to be conveyed by the City of Austin to Addie N. Damon is described as follows:

Fifty by two hundred and three (50x203') feet, the same being a portion of Outlet 28, Division "C", on Government Outlet adjoining the City of Austin, Travis County, Texas, and being all of that certain tract or parcel of land which was conveyed to the City of Austin for public use as a street by D. N. Robinson according to Travis County Deed Records, Volume 353, Pages 483 and 484, Deed dated October 22nd, 1923. Beginning at the northeast corner of that certain tract or parcel of land deeded by K. C. Miller, as trustee to City of Austin as street purposes, by deed dated October 17th, 1923, Volume 353, page 488, of Travis County, Texas, Record, which corner is 240 feet from the west line of Outlet 28, Division "C" of the Government Outlet adjoining the City of Austin, Travis County, Texas; thence S. 30° W. 203' following a line parallel to the west line of said Outlet to point; thence S. 60° E. 50' following a line parallel to the south line of Outlet 28 to point; thence N. 30° E. 203' following a line parallel to the west line of said Outlet 28 to point; thence N. 60° W. 50' following a line parallel to south line of said Outlet 28 to the place of the beginning, containing 10,150 sq.ft. of land; the same being all of that certain tract or parcel of land in Outlet 28, Division "C" of the Government Outlet adjoining the City of Austin conveyed to said City of Austin for street purposes by David N. Robinson, according to Travis County Deed Records, Volume 353, Pages 483 and 484.

The property to be conveyed by Addie N. Damon to City of Austin in exchange for the property hereinabove described is described as follows:

That certain tract or parcel of land in Outlet 28, Division "C" of the Government Outlet adjoining the City of Austin, Travis County, Texas. Beginning at the northeast corner of that certain tract or parcel of land in Outlet 28, Division "C" of the Government outlet adjoining the City of Austin, Travis County, Texas, which tract or parcel of land was conveyed to the City of Austin for street purposes by K. C. Miller, according to Travis County Deed Records, Volume 353, Page 488, and from which point of beginning the Northwest corner of said Outlet 28 bears N. 60° W. 240' and N. 30° E. 467', to-wit: Thence S. 60° E. 136' following a line parallel to the south line of said Outlet 28 to point; thence S. 30° W. 359½' following a line parallel to the West line of said Outlet 28 to point; thence N. 60° W. 60' following a line parallel to the south line of said Outlet 28 to point; thence N. 30° E. 309½' following a line parallel to the west line of said Outlet 28 to point; thence N. 60° W. 76' following a line parallel to the south line of said Outlet 28 to point; thence N. 30° E. 50' following a line parallel to the west line of said Outlet 28 to the place of the beginning, containing 25,370 sq.ft. of land.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

A report of Orin E. Metcalfe, City Engineer, showing the estimated cost of widening Guadalupe Street from 19th to 24th Streets was read. Councilman Pannell moved that the report be received and filed for future consideration and that the City Manager be authorized to negotiate with the State University for its proportionate part of the cost of widening said street. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The application of Jim Wimberly to erect a gasoline filling station at the northwest intersection of South First and West Annie Streets was read and laid over for one week.

Reports of L. E. Whitham & Company and H. R. F. Helland, Consulting Engineer, stating that the paving in the alley in Block 86 between Seventh and Eighth and San Jacinto and Trinity Streets had been completed in accordance with the plans and specifications for said work and recommending the acceptance of same were read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN,
TEXAS, ACCEPTING THE IMPROVEMENT
OF A PORTION OF ALLEY IN BLOCK 86,
IN THE CITY OF AUSTIN, AND AUTHOR-
IZING THE PAYMENT OF THE BALANCE
DUE BY THE CITY OF AUSTIN AND THE
ISSUANCE AND DELIVERY OF CERTIFI-
CATES OF SPECIAL ASSESSMENT AGAINST
OWNERS OF ABUTTING PROPERTY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

That , whereas, heretofore the hereinafter described alley was ordered improved, contract for said work of improvement duly entered into, and assessment levied against abutting property and the owners thereof to cover the portion of the cost payable by the said property owners; and

WHEREAS, pursuant to said contract and other proceedings in connection therewith L. E. Whitham & Company has completed the improvement of the following alley, to wit:

ALLEY between Seventh and Eighth Streets in Block 86 from the East line of San Jacinto Street to the west line of Trinity Street, known and designated as Unit of District No. P-84.

WHEREAS, said improvement is in strict compliance with the terms of said contract, specifications adopted for said improvement, and other proceedings in connection therewith; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

That said improvement on said portion of said alley be and the same is hereby accepted as in full compliance with the terms of said contract, specifications and proceedings, and the final estimate due from the City of Austin to L. E. Whitham & Company be and the same is hereby ordered paid.

That the Mayor and City Clerk be and are hereby authorized and instructed to issue, execute and deliver to L. E. Whitham & Company certificates of special assessment against the abutting property and the owners thereof, evidencing the several sums of money assessed against said property and the owners thereof respectively for their pro rata of the cost of said improvement, in accordance with the terms of said contract and proceedings.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

Reports of L. E. Whitham & Company and H. R. F. Helland, Consulting Engineer, stating that the paving on Nueces Street from the west line of Twenty-fourth Street to the west line of Guadalupe Street had been completed in accordance with the plans and specifications for said work and recommending the acceptance of same were read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS, ACCEPTING THE IMPROVEMENT OF A PORTION OF NUECES STREET, IN THE CITY OF AUSTIN, AND AUTHORIZING THE PAYMENT OF THE BALANCE DUE BY THE CITY OF AUSTIN AND THE ISSUANCE AND DELIVERY OF CERTIFICATES OF SPECIAL ASSESSMENT AGAINST OWNERS OF ABUTTING PROPERTY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That, Whereas, heretofore the hereinafter described street was ordered improved, contract for said work of improvement duly entered into, and assessment levied against abutting property and the owners thereof to cover the portion of the cost payable by the said property owners; and

WHEREAS, pursuant to said contract and other proceedings in connection therewith, L. E. Whitham & Company has completed the improvement of the following street, to-wit:

NUECES STREET from the South line of Twenty-eighth Street to the West line of Guadalupe Street, known and designated as Unit or District No. 29.

NUECES STREET from the north line of West 24th Street to the south line of West 27th Street and the south line of G. P. Bergstrom property, known and designated as Unit or District No. 29A.

NUECES STREET from the south line of West 27th Street and the south line of G. P. Bergstrom property to the south line of West 28th Street, known and designated as Unit or District No. 29B.

WHEREAS, said improvement is in strict compliance with the terms of said contract, specifications adopted for said improvement, and other proceedings in connection therewith; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said improvement on said portion of said street be and the same is hereby accepted as in full compliance with the terms of said contract, specifications and proceedings, and the final estimate due from the City of Austin to L. E. Whitham & Company be and the same is hereby ordered paid.

That the Mayor and City Clerk be and are hereby authorized and instructed to issue, execute and deliver to L. E. Whitham & Company certificates of special assessment against the abutting property and the owners thereof, evidencing the several sums of money assessed against said property and the owners thereof respectively for their pro rata of the cost of said improvement in accordance with the terms of said contract and proceedings.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

Reports of Southwest Bitulithic Company and H. R. F. Helland, Consulting Engineer, stating that the paving had been completed on Enfield Road or Parkway from West 12th to West Lynn Streets in accordance with the plans and specifications and recommending the acceptance of same were read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF ENFIELD ROAD OR PARKWAY IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 15th day of June, 1930, the City of Austin entered into a contract with Southwest Bithlithic Company whereby said company agreed to construct

street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

ENFIELD ROAD OR PARKWAY from the north line of West 12th Street to the east line of Lots 50 and 29 of Enfield, known and designated as Unit No. 46;

ENFIELD ROAD OR PARKWAY from the east lines of Lots 50 and 29 of Enfield "A" to the east line of Windsor Road or Blanco Street, known and designated as Unit or District No. 46a; and

ENFIELD ROAD OR PARKWAY from the east line of Windsor Road or Blanco Street to the west line of West Lynn Street, known and designated as Unit or District No. 46b.

And, Whereas, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of Enfield Road or Parkway hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretobefore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

Reports of the Southwest Bitulithic Company and H. R. F. Helland, Consulting Engineer, stating that the paving on West Avenue from the north line of West Fifth Street to the south line of West Sixth Street had been completed in accordance with the plans and specifications and recommending the acceptance of same were read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST AVENUE IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COST OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 17th day of April, 1930, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which

portions of streets was the following, to-wit:

WEST AVENUE from the north line of West 5th Street to the south line of West 6th Street, known and designated as Unit or District No. 24, and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of West Avenue hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The application of Loula V. Cater to erect a filling and tire station at the corner of Sixteenth and Red River Streets was read and laid over for one week.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

A 4 inch low pressure gas main in Colorado Street Alley, or the Alley lying between Colorado Street and Congress Avenue, beginning at the bend on an existing gas main, which point of beginning is 5 feet east of and 93 feet north of the intersection of the north line of West Eighth Street and the west line of said Colorado Street Alley; thence in an easterly direction at right angle to the west line of said alley 2 feet to point; thence in a southerly direction 7 feet east of and parallel to the west line of said alley a distance of approximately 173 feet to south line of said West Eighth Street. Said gas main described above shall have a cover of not less than 2 feet below bottom of the alley pavement.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may

be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignment they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that wherever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of back filling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That permission is hereby granted to E. M. Scarbrough & Sons, a firm composed of J. W. Scarbrough and Lemuel Scarbrough, to erect and maintain a run-way over and across the alley lying between Congress Avenue and Colorado Street and West Fifth and West Sixth Streets in the City of Austin so as to connect the second story of the Scarbrough Building with the second story of the certain building situated diagonally across said alley, subject to the following terms, conditions and limitations:

1. That said run-way shall be constructed in strict accordance with the plans and specifications therefor, a copy of which plans and specifications has been filed in the office of the City Engineer, and will be retained by the City for reference and use when pertinent.

2. That said run-way may be maintained by said E. M. Scarbrough & Sons until November 1, 1931, at which time said grantees must remove all of said construction from its place.

3. That said E. M. Scarbrough & Sons shall protect, indemnify and hold harmless the City of Austin from and on account of any and all claims for damages to any person or property, costs, expenses, action and causes of action that may accrue to or be brought by any person at any time hereafter against the City of Austin by reason of the exercise of the privileges herein granted to said E. M. Scarbrough & Sons, as above stated, or the abuse of said privileges; and that to assure the performance of this condition, said E. M. Scarbrough & Sons shall deposit with the Austin National Bank of Austin, Texas, the sum of Fifteen Thousand (\$15,000.00) Dollars, or securities equivalent in value, with memoranda executed by said parties, to the effect that said sum of money, or its equivalent in securities, is so deposited and held by said bank for such purposes.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

Councilman Mueller moved that the City Manager be authorized to grant a permit to J. R. Blackmore, Contractor, for the temporary use of a portion of the street adjacent to 704 Congress Avenue, said property being described as Lot 2A, Block 33, Original City, for the storage of materials and building operations in the remodeling of a building at this location. Motion was seconded by Councilman Steck, and same prevailed